

Notice of Allowability

Application No.

10/797,897

Examiner

Ling-Siu Choi

Applicant(s)

SUKHADIA ET AL.

Art Unit

1713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed February 17, 2006.
2. ☒ The allowed claim(s) is/are 1-6, 8-17, 19-27 and 29-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 2/6/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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DETAILED ACTION

1. This Office Action is in response to the Amendment and Response filed February 17, 2006. Claims 7, 18, and 28 were canceled and claims 1-6, 8-17, 19-27, and 29-45 are now pending.

Allowable Subject Matter

2. Claims 1-6, 8-17, 19-27, and 29-45 are allowed.

3. The following is an examiner's statement of reasons for allowance:

The present claims are allowable over the closest references: Hazlitt et al. 95,370,940) and Saudemont et al. (US 6,239,059).

A polymer of ethylene having	
a polydispersity index	≤ about 20
a film clarity of a 1 mil film	≤ about 30%
a film haze of a 1 mil film	≥ 70%

(summary of claim 1)

A polymer of ethylene having	
a melt index (MI)	about 0.01- about 10 dg/min
a film clarity of a 1 mil film	≤ about 30%
a film haze of a 1 mil film	≥ 70%

(summary of claim 14)

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A polymer of ethylene having	
a high load melt index (HLMI)	about 8 - about 180 dg/min
a film clarity of a 1 mil film	≤ about 30%
a film haze of a 1 mil film	≥ 70%

(summary of claim 24)

A polymer of ethylene having	
a density	< about 0.935 g/cm ³
a film clarity of a 1 mil film	≤ about 30%
a film haze of a 1 mil film	≥ 70%

(summary of claim 34)

* It is noted that Σ (clarity + haze) is not necessarily equal to 100%.

Hazlitt et al. disclose a film of thermoplastic ethylene interpolymer which has a density of about 0.935 g/ml or less, I_{10}/I_2 of at least about 8, I_2 of from about 0.1 to about 4 g/10 min; **Mw/Mn of 4.16-6.20, a film haze of 64.83, and a film clarity of 0.25-29.70** (abstract; Examples 1-9; Tables II and VII-Example 2; claims 1-3). However, Hazlitt et al. do not teach or fairly suggest a polymer having a combination of film clarity (1 mil film) ≤ about 30% and film haze (1 mil film) ≥ 70%.

Saudemont et al. disclose a polymer of ethylene in the presence of a catalyst system containing (A) Cp_2ZrCl_2 or $\text{Et}(\text{Ind})_2\text{ZrCl}_2$ on a solid support which is obtained by contacting a silica with dibutoxyaluminumoxytriethoxysilane and then with $(\text{NH}_4)_2\text{SiF}_6$ and (B) triisobutyl aluminum (TiBA) (Examples 1 and 34). Comparing with the catalyst system of the present invention, the polymer is produced by a different catalyst system. Thus, the polymer would not possess the identical properties as ones claimed by the

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present invention. In conclusion, Saudemont et al. do not teach or fairly suggest a polymer having a combination of film clarity (1 mil film) \leq about 30% and film haze (1 mil film) \geq 70%.

In light of the above discussion, it is evident as to why the present claims are patentable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ling-Siu Choi whose telephone number is 571-272-1098.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu, can be reach on 571-272-1114.



LING-SUI CHOI
PRIMARY EXAMINER

March 3, 2006